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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,926	01/11/2002	Timo Rantalainen	874.0103.U1(US)	9260
29683	7590	08/26/2004		
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER DOAN, KIET M	
			ART UNIT	PAPER NUMBER
			2683	6
DATE MAILED: 08/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,926

Applicant(s)

RANTALAINEN, TIMO

Examiner

Kiet Doan

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/01/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1 and 15** are rejected under 35 U.S.C. 102(e) as being unpatentable by Demetrescu et al. (Patent No. 6,647,262).

Consider **claim 1**, Demetrescu teaches a method for operating a mobile station in cooperation with a network operator (Col 6, lines 1-6 teach mobile station operated network) comprising: upon an occurrence of a RR procedure (Col 5, lines 43-45 teach radio resource) including HO and CRS, that affects the mobile station determining if a location procedure is ongoing in the mobile station, and if it is, completing the location procedure and reporting measurement results in a message from the mobile station to a target radio network controller (Col 2, lines 10-30, Col 3, lines 17-26 teach handover, cell reselect with measurement report and mobile operated with network controller).

Consider **claim 15**, Demetrescu teach a wireless communications system having at least one mobile station for communicating with a network operator (Col 1, lines 65-67, Col 2, lines 1-4 teach mobile station operated network) comprising a controller in said mobile station

(Col 2, lines 10-24 teach mobile station controlled) responsive to an occurrence of a RR procedure (Col 5, lines 43-52 teach radio resource) including HO and CRS, that affects the mobile station, for determining if a location procedure is ongoing in the mobile station and, if it is, for completing the location procedure and for reporting measurement results in a message transmitted from the mobile station to a target radio network controller (Col 2, lines 10-30, Col 3, lines 17-26 teach handover, cell reselect with measurement report and mobile operated with network controller).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-14, 16-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demetrescu et al. (Patent No. 6,647,262) in view of Hurtta et al. (Pub. No. 2004/0017798).

Consider **claims 2 and 16**, Demetrescu teach the limitation in claim 1 and fail to teach a method wherein the location procedure is executed during a Combined Hard Handover and SRNS Relocation procedure for at least one of a PS or a CS domain, and applies to both intra-SGSN/MSC SRNS relocation and inter-SGSN/MSC and SRNS relocation.

In the same field of endeavor, Hurtta teach "System and Method for providing a Connection In a Communication Network". Further, Hurtta teach a method wherein the location procedure is executed during a Combined Hard Handover and SRNS Relocation procedure for

at least one of a PS or a CS domain, and applies to both intra-SGSN/MSR SRNS relocation and inter-SGSN/MSR and SRNS relocation (Page 3, Paragraph 40, Page 10, Paragraph 136 teach SRNS relocation and both intra-SGSN).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicants invention to included, within Demetrescu system, providing connection, as taught by Hurttu to modify the system that would provided a better handling signal traffic.

Consider **claims 3 and 17**, Hurttu teaches method wherein the location procedure is executed during a combined Cell/URA/GRA Update and SRNS Relocation procedure for a PS domain and applies to both intra-SGSN SRNS relocation and for inter-SGSN SRNS relocation (Page 9, Paragraph 131, Page 10, Paragraph 136, Fig.7 teach Cell/URA Update and SRNS Relocation).

Consider **claims 4 and 18**, Hurttu teaches a method further comprising sending LCS parameters from a source RNC/BSC to a target RNC/BSC (Page 10, Paragraph 138, Fig.7 teach source RNC to a target RNC).

Consider **claims 5 and 19**, Hurttu teaches a method as wherein the LCS parameters are sent in a transparent manner (Page 10, Paragraph 140, lines 5-9 teach parameter)

Consider **claims 6 and 20**, Hurttu teaches a method wherein for a UTRAN case the LCS parameters are sent in a Source RNC to Target RNC Transparent Container in a

Relocation Required message (Page 10, Paragraph 138, Fig.7, No.2 teach UTRAN case and Source RNC to Target RNC Transparent Container in a Relocation Required message).

Consider **claims 7 and 21**, Hurtta teaches a method further comprising sending LCS parameters from a source RNC/BSC to a target RNC/BSC in a Relocation Commit message (Page 10, Paragraph 143, Fig.7 No.7 teach source RNC/BSC to a target RNC/BSC in a Relocation Commit message).

Consider **claims 8 and 22**, Hurtta teaches a method further comprising sending LCS parameters to the target RNC in a Forward SRNS Context message (Page 10, Paragraph 143 teach target RNC in a Forward SRNS Context message).

Consider **claims 9-12 and 23-26**, Hurtta teaches a method where the LCS parameters comprise at least one of: a requested location accuracy (Page 7, Paragraph 96 teach location position in criterion which would be location accuracy) a requested location response time (Page 8, Paragraph 112 teach location update means as response time) details pertaining to a currently ongoing location process (Page 9, Paragraph 116 teach location process) and a GMLC address (Page 4, Paragraph 56 teach gateway GGSN which would be obvious the Gateway Mobile Location Center should be in any system that have gateway GGSN).

Consider **claims 13 and 27**, Hurtta teaches a method wherein the message is sent before sending a UTRAN Mobility Information Confirm message from the mobile station to the

target RNC/BSC (Page 10, Paragraph 137, 140 teach mobile station send message to target RNC).

Consider **claims 14 and 28**, Hurtt teaches a method wherein the message is sent after sending a UTRAN Mobility Information Confirm message from the mobile station to the target RNC/BSC (Page 10, Paragraph 142 teach mobile station send message to target RNC).

Conclusion

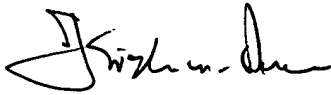
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- | | |
|-------------------|----------------------|
| 1. Purnadi et al. | Patent No. 6,708,031 |
| 2. Haumon et al. | Patent No. 6,466,790 |
| 3. Bark et al. | Patent No.6,445,917 |

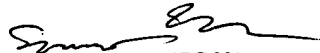
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 703-305-4749. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan
Patent Examiner



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